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UNCLAS SECTION 01 OF 02 TEGUCIGALPA 001200

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STATE FOR DRL/PHD (KCUMBERLAND), WHA/PPC, AND WHA/CEN
STATE PASS AID FOR LAC/CEN

E.O. 12958: N/A

TAGS: PHUM EAID KDEM KCRM KJUS PGOV HO

SUBJECT: EMBASSY TEGUCIGALPA HUMAN RIGHTS AND DEMOCRACY FUND

PROPOSAL: INVESTIGATING/PROSECUTING EXTRAJUDICIAL KILLINGS

REF: A) State 88764

B) State 65803

1. Post believes that the Bureau of Democracy, Human Rights and Labor initiative to address programs that promote human rights and democracy can greatly aid Mission efforts to strengthen the human rights practices in Honduras, particularly in the area of investigating and prosecuting extrajudicial killings.

2. Our proposal seeks to improve the Government of Honduras' ability to investigate and prosecute suspected extrajudicial, summary, and arbitrary executions, particularly of youth. This issue is one of the most serious human rights problems in Honduras right now. Post's project is designed to produce immediate tangible results and builds on existing POL/INL and USAID criminal justice sector strengthening and training programs.

3. At Post, POL/INL and USAID provide training to Honduran prosecutors and law enforcement personnel on issues of internal affairs investigations that focus on suspected extrajudicial killings. In 2003, Post provided technical assistance to the Ministry of Public Security (police investigators) and Public Ministry (prosecutors) on a specific case that allegedly may have involved human rights violations. Historically, POL/INL has directed training efforts toward prosecutors, investigators, and police at all levels in Honduras in the area of law enforcement investigations. USAID has been responsible for training of prosecutors and judges.

4. USAID has worked closely with the Honduran Attorney General's office providing significant technical assistance in the development of a new oral, adversarial criminal justice system under the new Criminal Procedure Code. USAID has developed an excellent working relationship with the Public Ministry in the process. USAID can utilize this current relationship and would be responsible for training prosecutors and judges on human rights issues such as extrajudicial killings.

5. Post is convinced that a country-based and well-coordinated approach on the investigations and prosecutions of extrajudicial killings is the key to helping Honduras develop a more effective, indigenous human rights law enforcement and prevention strategy. In other words, we believe this project will yield ancillary benefits in other human rights efforts.

6. Goal: Post will provide two courses to include training and technical assistance that will facilitate strengthened institutionalization of the Ministry of Public Security Internal Affairs Unit working in cooperation with prosecutors and judges focused on human rights-related crimes.

7. Objectives: This project will provide for one objective that will positively impact three separate government offices: the internal affairs investigators, prosecutors for human rights violations, and judges in human rights cases. The strengthening of investigative and prosecutorial abilities to address these crimes as well as the abilities of judges to properly convict human rights crimes is an important objective that will work toward a more clear initiative against human rights violations such as extrajudicial killings.

8. Activities: The Ministry of Public Security (MoPS - police) and the Public Ministry (prosecutors) as well as the mission have acknowledged a need to focus specific attention on alleged extrajudicial killings. In furtherance of this acknowledgement, Post, through its INL program, proposes to provide training and technical assistance to the Ministry of Public Security to strengthen the Special Investigative Unit that will also work closely with POL/INL and other U.S. law enforcement agencies in the investigation of suspected extrajudicial killings. Training and technical assistance will be provided by USAID to prosecutors and judges to form a countrywide group of prosecutors and judges that will work closely with investigators to prosecute these crimes.

9. Timeline: The project as a whole should be completed within one year. Using Post resources, POL/INL and USAID can begin the program within 90 days of receiving funds.

10. Sustainability: At the completion of this plan to strengthen the capabilities of the (GOH), the GOH will be expected to fund the infrastructure and necessary budget to ensure continued success in the investigation and prosecution of suspected extra judicial killings. The Ministry of Public Security has already demonstrated a commitment to resolving these types of crimes by providing for the Special Investigative Unit and Internal Affairs Unit in the proposed five-year budget. The Public Ministry continues to support its Special Prosecutor for Human Rights, as well as its Special Prosecutor for Children's Issues, which is made up of prosecutors that have worked closely with POL/INL and other U.S. agencies on suspected crimes involving human rights violations.

11. Performance Indicators: This three-pronged project will produce strengthened capabilities of the Special Investigative Unit and prosecutors as well as the increased prosecution of human rights violations and extrajudicial killings.

12. Evaluation Plan/Process: The three portions of this project will be discussed on a monthly basis at Post's Democracy Working Group. In addition, on a quarterly basis Embassy officials will meet with Honduran counterparts to discuss and review statistics gathered on arrests, prosecutions, and reports of suspected extra judicial killings.

13. Cost: The cost estimate for the first year of this proposed project is \$50,000.00 as follows:

Investigative support (POL/INL)

- a. Training \$10,000.00
- b. Technical assistance and operational support \$10,000

Prosecutorial and Judicial Support (USAID)

- a. Training \$20,000
- b. Technical Assistance \$10,000

14. Points of contact are Law Enforcement Advisor Sharon Parks-Banda, phone: (504) 236-9320, x4787, IVG: 539-4787, fax: (504) 236-9462, e-mail: parksbs(at)state.gov, and Human Rights Officer Derrick M. Olsen, phone: (504) 236-9320, x4394, IVG: 539-4394, fax: (504) 238-4446, e-mail: olsendm(at)state.gov.

15. Per para. 7 in reftel B, post's Public Affairs Officer Melissa Cooper has grant signing authority for only \$10,000.

Palmer